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Docket Management Facility
The Department of Transportation
400 Seventh Street, SW, Nassif Building
Room PL-401
Washington, D.C. 20590-001

Docket Number (FAA 2 - 3-14830)-21
RIN 2120-AH02

Dear Administrator:

I am a commercial tour pilot in the Hawaiian Islands who is deeply concerned with the scheduled renewal of SFAR 71.

Please consider this letter as a serious argument against SFAR 71 coming from a pilot with vast experience operating tours prior to and after SFAR 71.

On March 12, 1995, I reported a Near Mid Air Collision (NMAC).

On November 12, 1996 , I had an accident. A total engine failure.

Both of these events were mid tour with passengers and resulted in no injuries. Both events required an FAA Investigation with extensive paper work. (There is a side argument here- because of the effort and exposure how many NMAC are reported?)

Experience tells me that the NMAC was the most dangerous event of the two.

My reasons:

1) The other AC in the NMAC was a fixed-wing with 19 seats pretending to be a helicopter -flying at a low altitude to avoid bad weather.

2) My helicopter with 5 seats was flying higher than I was comfortable , given the newly imposed and altitude restrictive SFAR 71, and pretending to be a fixed-wing.

3) The 24 combined souls onboard the two aircraft escaped injury by sheer luck, unlike an engine failure that gives a well trained pilot the opportunity to react.

In simple terms- A helicopter pilots initial reaction to unforecasted poor weather, and or a mechanical problem, is to immediately get lower and slower- this is our very best defense. It's a strong option not available to fixed-wing AC.

If a helicopter tour pilot is considering regulatory altitudes and standoff requirements rather than executing his immediate "lower and slower" response to an event, It could and most likely has cost lives.

Not only would lowering our standoff distances allow us to fly comfortably in the rainforest and away from populated noise sensitive areas (as we did prior to SFAR 71), It would greatly reduce air traffic in the SFAR 71 overly regulated and congested flight corridors. Thus reducing the risk of one of our greatest dangers- The Mid Air Collision.

Sincerely,



Dan Brown